

Message Text

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FM SECSTATE WASHDC

TO MR. A.B. MCDOUGALL

EXXON CORP

251 AVENUE OF THE AMERICAS

NEW YORK NEW YORK

UNCLAS STATE 102788

E.O. 11652:

TAGS:

SUBJECT:

FOR MCDOUGALL, CHAIRMAN OF IEA INDUSTRY WORKING GROUP (IWP)

1. AS YOU KNOW, THE LAW WHICH PROVIDES A DEFENSE AGAINST AN ACTION UNDER THE US ANTITRUST LAW TO PARTICIPANTS IN A VOLUNTARY AGREEMENT WHO TAKE PART IN IWP MEETINGS REQUIRES US TO HAVE A TRANSCRIPT MADE OF THE PROCEEDINGS OF SUCH MEETINGS.

2. WE INTEND TO PERMIT PARTICIPANTS IN IWP MEETINGS, WHETHER OR NOT THEY ARE PARTICIPANTS IN THE VOLUNTARY AGREEMENT, TO REVIEW THE TRANSCRIPTS FOR ACCURACY IN ALL PORTIONS RELEVANT TO THEIR PARTICIPATION. IN NORMAL CIRCUMSTANCES, AND IN PARTICULAR WITH RESPECT TO THE MAY MEETINGS OF THE IWP THIS WOULD INCLUDE THE ENTIRE TRANSCRIPT. WE INTEND TO DEVELOP PROCEDURES FOR THE

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REVIEW OF TRANSCRIPTS BY PARTICIPANTS IN MEETINGS WHICH

WILL ASSURE THE SECURITY OF THE TRANSCRIPTS WHILE
MINIMIZING THE BURDEN ON IWP MEMBERS. WHATEVER
PROCEDURES ARE ESTABLISHED, THEY WILL ENSURE THAT PERSONS
PRESENT AT MEETINGS WILL HAVE A CHANCE TO PROPOSE

CORRECTIONS OF THEIR REMARKS, THAT THEY WILL BE ABLE
TO REVIEW THE CORRECTED TRANSCRIPT, AND THAT ANY
DISAGREEMENT WITH THE FINAL TRANSCRIPT WILL BE ATTACHED
TO IT AND MADE PART OF THE OFFICIAL US RECORD.

3. WE ALSO INTEND TO DETERMINE FROM NON-PARTICIPANTS
IN THE VOLUNTARY AGREEMENT WHETHER OR NOT THEIR
REMARKS OR OTHER MATERIAL THEY HAVE PROVIDED
WHICH IS PART OF THE RECORD OF THE MEETING, WERE PROVIDED
IN CONFIDENCE. IF SO, WE WILL TREAT THEM AS SUCH AND
PROTECT THEM FROM PUBLIC DISCLOSURE BY CLASSIFYING THEM.
IT IS THE VIEW OF THE STATE DEPARTMENT THAT WE HAVE
SUCH AUTHORITY. IF THAT AUTHORITY IS CHALLENGED WITH
RESPECT TO A PARTICULAR DOCUMENT, THE CLASSIFICATION
MAY BE SUBJECT TO ADMINISTRATIVE AND JUDICIAL REVIEW.

SIGNED: LAWRENCE R. RAICHT, DIRECTOR, OFFICE OF
FUELS AND ENERGY, DEPARTMENT OF STATE. SISCO

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